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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/696,562	10/25/2000	Jerome Michel Vialle	00CXT0006N	2706

36122 7590 05/05/2004		EXAMINER	
DUFT SETTER OLLILA & BORNSEN LLC		LETT, THOMAS J	
2060 BROADWAY			
SUITE 300		ART UNIT	PAPER NUMBER
BOULDER, CO 80302		2626	

DATE MAILED: 05/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _25 October 2000_.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-22_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-22_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _25 October 2000_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _3_.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1.   Claims 1-22 are rejected under 35 U.S.C. 102(e) as being anticipated by

Andreason (US Patent 6,687,354). Andreason discloses a telephone exchange where

a user sends data packets having the SLIP structure modulated onto an analog signal,

which analog signal incidentally has been transformed to digital signals (col 6, lines 2-

4). These data packets may also be of a PPP protocol whose frame indicates length,

which reads on converting the facsimile into application packets that indicate individual

application packet lengths;

each data packet having the SLIP or PPP protocol is converted to at least one

data packet suitable for use on the intranet 14, procedural step 60. The protocol used is

TCP/IP (col 6, lines 9-12), which reads on converting the application packets into

TCP/IP packets;

the packet can be sent further to the internet 16 if such a connection is desired

by the user and he has that access possibility (col 6, lines 13-14), which reads on

transferring the TCP/IP packets to the TCP/IP network and receiving the transferred

TCP/IP packets from the TCP/IP network;

there are of course data packets sent in the other direction from the computer

network 14 to the computer 48 of the user (col 6, lines 28-30) and there the packets

get converted from TCP/IP packets to SLIP packets, procedural step 72 (col 6, lines 40-

42), which reads on converting the transferred TCP/IP packets into transferred

application packets; and converting the transferred application packets into the facsimile

using the individual application packet lengths.

With respect to claim 2, Andreason discloses a method comprising the steps of

receiving, in the telephone exchange, data packets having a signal structure suitable for

data communication from a computer network (col 3, lines 11-14), which reads on

receiving the facsimile from a telephone network.

With respect to claim 3, Andreason discloses converting the signal structure of

these data packets to a signal structure suitable for communication of data

over a telecommunication network, (col 3, lines 14-16), which reads on transferring the

facsimile to a telephone network.

With respect to claim 4, Andreason discloses the PPP protocol is converted to at

least one data packet suitable for use on the intranet 14, procedural step 60 (col 6, lines

9-11). The PPP frame contains a data field which indicates packet length, which reads

on the individual application packet lengths are indicated for each respective application

packet by adding an application packet length field to the respective application packet.

With respect to claim 5, Andreason discloses the telecommunications standard ITU-T H.323 describes different protocols for use in communication between computer and telecommunication networks (col 1, lines 46-48). International Telecommunication Union Recommendation T.38 is part of the ITU-T H.323 suite of protocols, which reads on converting the facsimile into the application packets and converting the transferred application packets into the facsimile using equipment implementing International Telecommunication Union Recommendation T .38.

With respect to claim 6, Andreason discloses a telephone exchange where a user sends data packets having the SLIP structure modulated onto an analog signal, which analog signal incidentally has been transformed to digital signals (col 6, lines 2-4). These data packets may also be of a PPP protocol whose frame indicates length which reads on converting the first facsimile into first application packets that indicate individual first application packet lengths;

each data packet having the SLIP or PPP protocol is converted to at least one data packet suitable for use on the intranet 14, procedural step 60. The protocol used is TCP/IP (col 6, lines 9-12), which reads on transferring the first application packets to a TCP/IP layer;

the packets get converted from TCP/IP packets to SLIP packets, procedural step 72 (col 6, lines 40-42), which reads on receiving second application packets from the TCP/IP layer; and

data packets sent in the other direction from the computer network 14 to the computer 48 of the user (col 6, lines 28-30), which reads on converting the second

application packets into the second facsimile using individual second application packet lengths in the second application packets.

With respect to claim 7, Andreason discloses each data packet having the SLIP or PPP protocol is converted to at least one data packet suitable for use on the intranet 14, procedural step 60. The protocol used is TCP/IP (col 6, lines 9-12), which reads on converting the first application packets into first TCP/IP packets;

the packet can be sent further to the internet 16 if such a connection is desired by the user and he has that access possibility (col 6, lines 13-14), which reads on transferring the first TCP/IP packets to the TCP/IP network;

the packets get converted from TCP/IP packets to SLIP packets, procedural step 72 (col 6, lines 40-42), which reads on receiving second TCP/IP packets from the TCP/IP network; and which reads on converting the second TCP/IP packets into the second application packets.

With respect to claim 8, Andreason discloses receiving, in the telephone exchange, data packets having a signal structure suitable for data communication from a computer network (col 3, lines 11-14), which reads on receiving the first facsimile from a telephone network.

With respect to claim 9, Andreason discloses converting the signal structure of these data packets to a signal structure suitable for communication of data over a telecommunication network, (col 3, lines 14-16), which reads on transferring the second facsimile to a telephone network.

With respect to claim 10, Andreason discloses the PPP protocol is converted to at least one data packet suitable for use on the intranet 14, procedural step 60 (col 6, lines 9-11). The PPP frame contains a data field which indicates packet length, which reads on the individual first and second application packet lengths are indicated for each respective application packet by adding an application packet length field to the respective application packet.

With respect to claim 11, Andreason discloses the telecommunications standard ITU-T H.323 describes different protocols for use in communication between computer and telecommunication networks (col 1, lines 46-48). International Telecommunication Union Recommendation T.38 is part of the ITU-T H.323 suite of protocols, which indicates packet length, which reads on converting the first facsimile into the first application packets and converting the second application packets into the second facsimile using equipment implementing International Telecommunication Union Recommendation T.38.

2.   Claims 12-16 are facsimile system claims, and are rejected for the same reasons as the method claims 1-5.

3.   Claims 17-22 are facsimile system claims, and are rejected for the same reasons as the method claims 6-11.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Lett whose telephone number is 703-305-8733. The examiner can normally be reached on 7-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kimberly Williams can be reached at 703-305-4863. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703)305-

3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, DC 20231

or Faxed to:

(703) 872-9314 (for Technology Center 2600 only).

Hand-delivered responses should be brought to:
Crystal Park II
2121 Crystal Drive
Arlington, VA   Sixth Floor (Receptionist).

TJL

MARK WALLERSON
PRIMARY EXAMINER